

CITY OF ALBUQUERQUE LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

Project #: 1004679
Property Description/Address: Lots 1-4 Campbell Estates located at
2834 Campbell NW

Date Submitted: February 24, 2010
Submitted By: Diane Grover

Meeting Date/Time: February 22, 2010, 6:00 p.m.
Meeting Location: Wells Park Community Center
Facilitator: Diane Grover
Co-facilitator: Kathleen Oweegon

Parties:

Thomas Gutierrez, Applicant
Matt Ayers, Property Owner
John Dugas, Financial Planner
One other with applicant
Alvarado Gardens NA ("AGNA")
Rio Grande Compound Homeowners Association ("RGCHA")
Rio Grande Blvd NA ("RGBNA")
Rincon del Rio ("RDR")

Invited but not in attendance:
North Valley Coalition ("NVC")
Thomas Village NA ("TVNA")

Note: Individual names can be found at the end of this report.

Background/Meeting Summary:

Background: In preparation for this meeting, facilitator spoke with or, when contact by phone failed, sent emails to contact persons for the City identified neighborhood associations. A meeting was requested by AGNA and I was told to expect up to 20 people. The one person I spoke with also suggested that neighbors were in favor of the project as to having an assisted living facility in their boundaries, but had a history of being opposed to zone changes. I attempted to book the meeting into Los Griegos Multi Service Center, which had a greater capacity, however they were booked for the night we agreed on. I scheduled the meeting for Wells Park Community Center, and was told that capacity for the room was 30 people.

On Wednesday, February 17, 2009, I was contacted by Shannon Beaucaire following the City pre-meeting on the project, where numerous neighbors showed up. This was the first indication I had that interest in the meeting could be more widespread than I had understood. At this point I was in touch with 2 people from AGNA and both still felt comfortable that only 20 people or less

should be expected. On Thursday I sent an email to all contacts saying it was urgent that I had RSVPs from anyone who had received my meeting invitation forwarded to them. I explained that we were limited to 30 attendees and RSVPs started coming in. Later in the week I got emails or phone calls from other folks from previously unidentified neighborhood associations that wanted to send a few people. It wasn't until Saturday when I found out that fliers had been posted announcing the meeting and that the invitation was much more widely spread than I had known. I talked to people I had contact with about moving the meeting, and no one knew how we could contact all of the people who had been invited without my knowledge. On Sunday I learned that the person who had posted the fliers was one of the folks I had heard from, who still felt that we would fit in the Wells Park Facility. There was still no way to contact folks and move the meeting.

On the night of the meeting more than 30 people showed up, and some had to be turned away at the door (approximately 20) They were given comment sheets that I intended to pass on to Carol Toffaleti, and many filled them out but only two were left behind. These were scanned and sent to Carol. Those turned away were also given the opportunity to leave their email addresses so that I could forward copies of this report. Despite their frustrations with not being allowed to enter the meeting, people were organized, polite and compliant. We were able to seat another 6 when some of the RSVPs did not show up, and the group did a good job of self selecting those who would attend.

Applicant Request: Thomas Gutierrez requests a zone map amendment from RA-2 to SU-1 for Residential Assisted Living for property located at Ornella Lane between Campbell Road NW and La Mancha Drive NW, currently zoned RA-2

Meeting: Due to the confusion at the start of the meeting, we began approximately 17 minutes after 8:00. The applicant's team consisted of Thomas Gutierrez, who is listed as Applicant; Matt Ayers who is one of the owners of the property; Gerald Maestas and John Dugas, a financial planner who works with retirement and long care planning. Matt has 3 other 15 bed facilities and takes pride in the work they do and the quality of care they provide. He presented plans for four 4500 to 4800 sq. ft. homes for 15 residents 70 years old or older per home. Residents would be ambulatory and non-ambulatory. There will be 5 private bedrooms of 120 sq. ft. and 5 semi-private bedrooms of 160 sq. ft. reserved for couples, for a total of 15 residents per building. Staff would consist of 2 Board of Health certified staff working 7:00 a.m. to 7:00 p.m. per building for a total of 8; 1 Board of Health certified staff member working 7:00 p.m to 7:00 a.m. per building for a total of 4; and one manger per building (or less, to be determined). Staff would handle all tasks including assistance with medication, preparing and serving meals and caring for residents. Additional tasks such as laundry and cleaning would be done while residents slept. There will be no vans, no outside excursions other than family provided excursions. An on call doctor and physical therapist would provide medical on call services in the facilities. Matt likes the proposed area as a nice property in a good location. The applicant wants to work with neighbors to fit into the neighborhood. They do not wish to push their way in if not welcomed. They want to work things out for the good of all concerned. Input of neighbors is very important to them, and they are willing to modify plans when appropriate.

Many neighbors felt comfortable with the applicant and expressed trust in Matt, and belief in the need for assisted living facilities. No one in attendance seemed to have any reason to disbelieve the intent of the project, or the quality of the care Matt has provided in the past or will provide in the future. Neighbors were unanimously opposed to a zone change and have worked to oppose zone changes in the past. They are concerned about the density of this project in comparison to single family residences, and are uncomfortable with the amount of traffic the facilities would generate. Between staff and visitors; doctors and the possibility of emergency vehicles, they feel a threat is posed to their quality of life. They have concerns for safety and are frustrated that the City's pattern of looking at traffic increases through the lens of each individual project's impact rather than through the reality that they live with of the cumulative effect of multiple projects, existing problematic situations and the often difficult end results.

Neighbors would like to request a deferral, or for the applicant to request a deferral. The applicant is willing to consider a deferral if neighbors could consider negotiation and compromise, but do not particularly want to defer and spend time working with neighbors on a project that neighbors are adamantly opposed to in all forms. No resolution was reached on this issue at the meeting.

The applicant understood many neighbor concerns as viable, and would like to work with them towards resolutions.

Shannon Beaucaire with the City of Albuquerque ADR Department will get answers from the City to a zoning question, a methodology for neighbors to request a deferral and the possibility of a second facilitated meeting. Since these answers will not come at the meeting, they cannot be included in this report, but will be forwarded in the email distributing this report.

Neighbors in attendance, the applicant team and neighbors who were turned away at the door were respectful and cooperative.

Outcome:

Areas of Agreement:

- The quality of the neighborhood
- Applicant has good intentions
- There is a need for more assisted living facilities
- Applicant has no wish to force themselves on the neighborhood

Unresolved Issues, Interests and Concerns:

- Neighbors would like applicant to defer
- Applicant is willing to consider deferral if applicants would consider modifications (smaller units or other modifications) and if negotiation was an option
- Neighbors may request a deferral
- Applicant requests that neighbors express to applicant or planner what needs are and what questions can be answered.
- Applicant would like to meet neighbors needs and find a way to fit into neighborhood

- Applicant would like to work with neighbors towards agreeable coexistence
- Applicant would consider smaller buildings if it fit with business plan

Meeting Specifics:

- 1) Applicant Presentation
 - a) Applicant team
 - i) Thomas Gutierrez: Agent
 - ii) John Dugas: Financial planner who works with retirement and long care planning
 - (1) Home idea began with grandmother with dementia
 - (2) Mother created assisted living facility in home like environment for 8 residents
 - (3) Mother passed away
 - (4) Fulfilling her goal of 15-bed homes that look like residences
 - (5) Wishes to embrace concerns and feedback from neighbors
 - iii) Matt Ayers: one of the owners
 - (1) In business in Albuquerque for 10 years
 - (2) Most homes are for 10-15 beds
 - (3) Work with Adult Protective Services
 - (4) Work with all level of assisted care
 - (a) Day care
 - (b) Respite, etc.
 - (5) Much –needed service
 - (6) 4 smaller units feels more residential than one larger facility
 - (7) Eases adjustment from living in own home
- 2) Neighbors questions and concerns
 - a) **Plans and Appearance**
 - i) 1.2 acres serving 60 residents yet blending in with area
 - (1) Applicant plans 6' wall around facility
 - (2) Have site plan and elevations
 - (3) Can show pictures of other facilities previously built
 - (4) Want to maintain similar feeling and lifestyle for residents
 - ii) Plans for this specific project
 - (1) Mediterranean, Pueblo or Tuscan style
 - (a) All will be one of the above
 - (b) Want neighborhood input
 - (2) 1-story, 15' maximum height (same as in application)
 - (3) 4 houses between 4500-4800 sq. ft.
 - iii) Rooms
 - (1) 5 private; 5 semi-private for couples (15 residents total)
 - (2) Private rooms 10'x12'
 - (3) Semi-private room 10'x16'
 - iv) Neighbors do not see 5,000 sq. ft. homes typical for neighborhood
 - (1) Applicant states will be larger but similar in appearance
 - v) Independent living vs. Assisted Living
 - (1) Will not have independent living
 - vi) Lot lines

- (1) Being re-platted to one big lot with no lot lines
- vii) What if project doesn't work?
 - (1) Bedrooms will be turned to garages and buildings made into houses
- viii) Gated?
 - (1) If allowed – based on City requirements and road maintenance
 - (2) Open to input from community
- ix) Parking
 - (1) 20 spaces planned
 - (2) 2 staff per building
 - (3) Question whether one manger per building or less
 - (4) Total 9-12 on staff at a time, less at night
- x) Outdoor space
 - (1) 6400 sq. ft. between two homes

b) Zone Change

- (1) Per applicant, current zoning allows 4 custom homes or larger 2-story home
- (2) Once zoning is changed, can anyone do the same on a neighboring property?
 - (a) Shannon Beaucaire will follow up with answer to be relayed by facilitator in email distributing report
- (3) Shannon Beaucaire has 44 page attachment on CRP programs and will post it to the City Web Site. (see “**Action Items**” at end of report)
- (4) Neighbors attending meeting were unanimously opposed to zone change
 - (a) Among other concerns not sure who successors may be or what quality

c) Residents and Services

- i) Wide range of residents 70 years old and up
- ii) Some ambulatory; some not (some wheelchair/bed-ridden)
- iii) Residents' stays average 1-2 years
- iv) No rehab facility
- v) No independent living
- vi) Kitchen on premises
 - (1) Regular staff does cooking
- vii) Neighbors concerned not enough space for “luxury living”
- viii) Applicant states goal is for residents not to stay in bedrooms but interact with their small community
- ix) Supplies
 - (1) Not trucked in; managers shop at Sam's
- x) No vans for excursions – family may take resident for excursion
- xi) Most activities indoors
- xii) Emergency transportations done by 911
 - (1) Not daily occurrence
 - (2) No different from residential neighborhood
- xiii) Dr. on call to make house calls
- xiv) Physical therapists come as needed

d) Staff

- i) All Board of Health certified aides
- ii) Aides can provide assistance with medications
- iii) Comprehensively trained

- iv) Neighbors concerned additional may be needed
 - (1) Applicant invites neighbors to visit other facilities
 - (2) Applicant affirms history of high quality of care; experienced
 - (3) Cites compliance with all regulations
 - (4) Cites exemplary grades in other facilities
 - (5) Cleaning, laundry, other functions done at night while residents sleep
- e) Density:**
 - i) Neighbors see 60 residents and staff as density problem
 - ii) Single family homes would be 4 or 5 people per home, 20 total
 - iii) Neighbors have concerns about additional activity feeling more dense
 - (1) hospice care
 - (2) family visits and care supplementation
 - (3) emergencies
 - (a) Applicant states no more often than in residences
 - (b) Neighbors feel will have higher incidence due to age
 - (c) Neighbors concerned about noise and intrusion
 - (d) Applicant offers report of responder incidences in other homes
 - (i) Neighbor stated wouldn't matter
 - (4) Administration
 - (5) Doctors, etc
 - iv) Neighbors asked for model in similar neighborhood
 - (1) Applicant suggested Beehive Homes on San Pedro at Paseo del Norte
- f) Traffic**
 - i) Increases caused by additional activity [see 2)e)i)(1)-(5) above]
 - ii) Already lots of traffic
 - (1) From those going to the Bosque and Nature Center
 - (2) Campbell Road feeds into residences on Rio Grande and Glenwood and several other roads.
 - (3) Increase on Campbell effects several other roads
 - (4) People use Campbell to cut over from other roads
 - iii) Danger for neighbors who bike or walk on dead end street
 - iv) Neighbors not clear on applicant's assessment of traffic increase
 - v) Traffic impact study
 - (1) Project doesn't meet threshold to require study
 - (2) Tony Loyd will input comments to City report
 - vi) Neighbors concerned for City perspective
 - (1) City looks at one project at a time with no extraneous info
 - (2) Neighbors experience reality of multiple projects and existing conditions
 - vii) Neighbors informed applicant bike lane will be put in by City on Campbell
 - viii) Neighbors asked how to get concerns to City traffic
 - (1) Facilitator stated they would need to contact traffic and raise concerns
- g) Quality of project/applicant's history**
 - i) Applicant operates (3) 15 resident facilities today
 - ii) Neighbors applaud applicant efforts; trust can deliver quality
 - (1) Do not believe facility fits in neighborhood
- h) Surveys**

- i) Health inspection surveys and recommendations up to date and available on-line with Department of Health
- i) Market Studies**
 - i) Show not many facilities in North Valley Area
 - ii) John asked for show of hands – how many know someone needing services
 - (1) Approximately 12 hands raised
- j) Parking**
 - i) Neighbors are concerned 20 spaces can't accommodate
 - (1) Staff
 - (a) Applicant states (8) 7a.m to 7 p.m. (2 per building)
 - (b) 1 manager (maybe per building – maybe less)
 - (c) (4) 7p.m. to 7 a.m. (1 per building)
 - (2) Visitors
 - (3) Doctors
 - (4) Therapists
- 3) Neighbors' requests
 - a) Would like 2nd meeting in larger venue
 - b) Would like to request deferral
 - i) Shannon to follow up with procedure to request
 - c) Neighbor asked how much land would cost to purchase
 - i) Applicant stated \$1.2 million

Next Steps: (proposed, no commitments)

- Neighbors would like a deferral and a subsequent meeting in a larger venue.
- Neighbors would like for applicant to defer
- Applicant willing to consider deferral if applicants would consider modifications (smaller units or other modifications).

Action Plan:

No clear action plan noted. Applicant will discuss next steps.

Action Items:

- Neighbors invited to call Matt at (505) 260-4876 (cell) for tour of another facility
- Neighbors invited to call Matt with any questions
- Shannon will get info on process for 2nd facilitate meeting and facilitator will relay to all
- Shannon will get answer to zoning questions and have facilitator relay to all
- Shannon will find out how neighbors can request deferral and have facilitator relay to all
- Neighbors will contact City traffic to express traffic concerns
- Facilitator will forward Bob's and Pam's lists of concerns to applicant
- Facilitator requested comments be sent to Planner
- Neighbor suggested comments be sent directly to EPC

Application Hearing Details:

1. Hearing scheduled for March 11, 2010
2. Hearing Time:
 - a. The Commission will begin hearing applications at 8:30 a.m.
 - b. The actual time this application will be heard by the Commission will depend on the applicant's position on the Commission's schedule
 - c. The agenda is posted on www.cabq.gov/planning/epc/index on the Friday immediately prior to the EPC Hearing
3. Hearing Process:
 - a. Comments from facilitated meetings will go into a report which goes to the City Planner.
 - b. City Planner includes facilitator report in recommendations.
 - c. The Commission will make a decision and parties have 15 days to appeal the decision.
4. Resident Participation at Hearing:
 - a. Written comments must be received by 9:00 a.m. March 1, 2010 to be included in the planner's report. Comments may be sent to:

Carol Toffaleti, Staff Planner
600 2nd Street NW, Third Floor
Albuquerque, NM 87102
cgtoffaleti@cabq.gov
(505) 924-3345

OR

Doug Peterson, Chair, EPC
Laurie Moye, Vice Chair, EPC
% Planning Department
600 2nd St, NW, Third Floor
Albuquerque, NM 87102

Names & Affiliations of Attendees:

Shannon Beaucaire	City of Albuquerque
Thomas Gutierrez	Applicant
Matt Ayers	Property owner
Gerald Maestas	Applicant team member
John Dugas	Applicant team member
Michael Brady	no affiliation listed
Annie Campagna	no affiliation listed
Mary Ann Duerksen	RGCHA
Bob Poyourow	AGNA
Charlie Rogers	RGCHA
Susan Rhodes	AGNA
Amanda Snow	AGNA

David A. MacArthur	RDR
Claudia Black	AGNA
Tim Mullane	AGNA
Doyle Kimbrough	RGBNA
Sue Alice Ericson	RGCHA
Douglas Frances	RGCHA
Julian Gallegos	AGNA
Michael Gallegos	AGNA
Judy Greenfeld	RGCHA
Yolanda Homan	AGNA
Anne King	RGCHA
Pamela Mitchell	AGNA
Steve Mitchell	AGNA
Brent Ricks	AGNA
Yolanda Homann	AGNA

Additional interested parties requesting copy of report:

Alison Owens	no affiliation listed
Talia Sledge	AGNA
Don Michaelis	Neighbor
Michael Byrd	Neighbor
Bill Wagner	AGNA
Jane Marx	AGNA
John Hart	AGNA
Larry Hanley	Campbell Rd.
Judi Townsend	Campbell Rd.
Barbie Brennan	Campbell Rd.
Michael Byrd	Campbell Rd.
Greg Natzke	Campbell Rd.
Wheaton Byers	Trellis Rd.
Laury Alexander	Trellis Rd.
Pamela Michaelis	neighbor
John Ellig	NVNA